

1 Scott Sagaria (State Bar No.217981)
 2 Elliot Gale (State Bar No. 263326)
 2 Joe Angelo (State Bar No. 268542)
 SAGARIA LAW, P.C.
 3 2033 Gateway Place, 5th Floor
 San Jose, California 95110
 4 Telephone: (408) 279-2288
 Facsimile: (408) 279-2299
 5 Attorneys for Plaintiff
 6
 7
 8



UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA — SAN JOSE DIVISION

11 TIM ANDERSON,

Federal Case No.: 5:15-CV-03858-EJD

12 Plaintiff,

13 vs.

14 EXPERIAN INFORMATION SOLUTIONS,
15 INC.; et. al.,**PLAINTIFF'S AMENDED NOTICE OF
VOLUNTARY DISMISSAL OF
DEFENDANT AMERICAN EXPRESS
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(A)(1)**

16 Defendants.

17
 18
 19 **PLEASE TAKE NOTICE** that Plaintiff Tim Anderson, pursuant to Federal Rule of Civil
 20 Procedure 41(a)(1), hereby voluntarily dismisses Defendant American Express as to all claims in
 21 this action.

22 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

23 41(a) Voluntary Dismissal

24 (1) By the Plaintiff

25 (a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2, and 66 and any
 26 applicable federal statute, the plaintiff may dismiss an action without a court
 27 order by filing:

28 (1) a notice of dismissal before the opposing party serves either an answer

1 or a motion for summary judgment.

2 Defendant American Express has neither answered Plaintiff's Complaint, nor filed a
3 motion for summary judgment. Accordingly, the matter may be dismissed, with prejudice, against
4 it for all purposes and without an Order of the Court.

5
6 Dated: December 15, 2015

Sagaria Law, P.C.

7 By: /s/ Elliot W. Gale
8 Elliot W. Gale
9 Attorneys for Plaintiff
Tim Anderson

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28